



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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October 12, 1999

CERTIFIED RETURN RECEIPT P 074 976 770

Mark Willes
BMW Stone, Inc.
7125 South 300 East
Salt Lake City, Utah 84047

Re: Division Directive, BMW Stone, Inc., Brown's Canyon Rock Quarry, S/043/021, Summit County, Utah

Dear Mr. Willes:

This letter is sent to notify you, that your Brown's Canyon Rock Quarry, or portions thereof, may not be in compliance with certain sections of the Utah Mined Land Reclamation Act 40-8-1 et seq and the Minerals Reclamation Program Rules R647-1 through R647-5. Accordingly, the Division hereby issues this Directive to resolve a potential Non-Compliance situation.

BACKGROUND:

On September 15, 1999, an inspection was conducted at the Brown's Canyon Rock Quarry by Lynn Kunzler and Doug Jensen of the Minerals Program staff. As part of the site inspection (copy of inspection memo enclosed), a GPS survey was performed of the disturbed area. The results of the GPS survey showed that the current surface disturbance was 6.44 acres. This amount of disturbance would require this site to be permitted as a Large Mining Operation. A certified survey of the total surface disturbance would resolve any acreage question.

DIRECTIVE:

The Division offers three alternatives to resolve the potential non-compliance. Please select your preference and notify the Division within one week of your receipt of this letter as to your selection.

Alternative #1

Submit a Notice of Intention to Commence Large Mining Operations (FORM MR-LMO is enclosed). This application will need to be completed and submitted to the Division by December 6, 1999. In addition, you will need to provide an interim surety of \$12,900 (twelve thousand nine

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hundred dollars) by November 1, 1999 in order to continue operating while your Large Mining Notice is being processed. The interim surety amount was calculated as the acreage of your site (6.44 acres) times the calculated cost of reclaiming a similar stone quarry (\$2,000 per acre).

Alternative #2

Reclaim at least 1.44 acres of your site by November 17, 1999. This will reduce the disturbed acreage to 5 acres or less, thus maintaining a small mining operation status.

Alternative #3

Provide a certified survey of your disturbed area by November 10, 1999. If this option is selected, please notify the Division at least five (5) days prior to the survey so that we can meet with you and the surveyor on site.

Please note the Division will not authorize any additional site disturbance until sufficient reclamation is completed or a Notice of Intention to commence Large Mining Operations is submitted to the Division and approved. Please contact me at (801) 538-5286 or Lynn Kunzler, of my staff at 538-5310, if you have questions concerning the requirements of this directive.

Sincerely,



D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Enclosure: 9/15/99 inspection memo, MR-LMO
cc: Mary Ann Wright, DOGM
Lynn Kunzler, DOGM
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